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FISCAL IMPACT STATEMENT

LS 7478

BILL NUMBER: SB 465

NOTE PREPARED: Jan 11, 2009

BILL AMENDED:

SUBJECT: Department of Labor Administrative Matters.

FIRST AUTHOR: Sen. Buck

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill allows the Department of Labor (Department) or the Commissioner of Labor (Commissioner) to reduce or waive, in the interest of justice and upon a showing of good cause, a civil penalty assessed for violation of child labor laws.

The bill specifies that an employer is required to post a single-page poster to notify employees about Indiana's minimum wage law.

The bill authorizes the Commissioner to determine the reasonable compensation of an attorney serving as an administrative law judge in occupational safety and health cases.

Effective Date: July 1, 2009.

Explanation of State Expenditures: The requirement to post a single-page poster to notify employees about Indiana's minimum wage law should have no fiscal impact.

The impact of allowing the Commissioner to determine the reasonable compensation of an attorney serving as an administrative law judge in occupational safety and health cases would depend on the compensation determined by the Commissioner. Currently, administrative law judges are paid the same compensation as a member of the Board of Safety Review. Any additional compensation would be paid from the department's current appropriation.

Explanation of State Revenues: The bill could reduce the revenue to the Employment of Youth Fund. The impact would depend on the number of penalties that are reduced or waived.

Background: Penalties, ranging from \$50 to \$400, depend on the type of violation, number of violations, and the amount of time since the last violation. One-half of the revenue to the Employment of Youth Fund from penalties is used for education on the purpose and content of child labor laws, and the other half is used for expenses incurred for inspectors to enforce the child labor law.

The department collected \$260,237 in penalties in FY 2008 and \$318,969 in FY 2007.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Labor.

Local Agencies Affected:

Information Sources:

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